

AMENDED IN SENATE JUNE 25, 2012

AMENDED IN ASSEMBLY APRIL 16, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2189

Introduced by Assembly Member Skinner

February 23, 2012

An act to *add Section 1936.5 to the Civil Code, and to amend Section 14608 of the Vehicle Code, relating to vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2189, as amended, Skinner. Vehicles: rentals: driver's licenses.

Existing law prohibits a person from renting a motor vehicle to another unless the person to whom the vehicle is rented is a validly licensed driver, as specified, and the person renting to that driver has inspected the person's driver's license and compared the signature on the license with the signature of the driver written in his or her presence.

This bill would ~~require a person renting a motor vehicle to another person, as an alternative to that inspection and comparison, to inspect the driver's license through electronic means~~ *delete the requirement that the signature of the driver be written in his or her presence and would allow the person renting the vehicle to instead compare the photograph on the driver's license of the person with the person to whom the vehicle is to be rented.*

The bill would also exempt, a "rental company," as defined, from these requirements when entering into a rental transaction in which a vehicle that is part of a regional fleet is available to be rented electronically on either an hourly or daily basis.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 1936.5 is added to the Civil Code, to read:*
2 *1936.5. A “rental company” as defined in paragraph (1) of*
3 *subdivision (a) of Section 1936 is not subject to the requirements*
4 *of Section 14608 of the Vehicle Code when entering into a rental*
5 *transaction in which a vehicle that is part of a regional fleet is*
6 *available to be rented electronically on either an hourly or daily*
7 *basis.*

8 ~~SECTION 1.~~

9 *SEC. 2. Section 14608 of the Vehicle Code is amended to read:*
10 14608. (a) A person shall not rent a motor vehicle to another
11 person unless both of the following requirements have been met:

12 (1) The person to whom the vehicle is rented is licensed under
13 this code or is a nonresident who is licensed under the laws of the
14 state or country of his or her residence.

15 (2) The person renting to another person has ~~done either of the~~
16 ~~following:~~

17 ~~(A) Inspected~~ *inspected* the driver’s license of the person to
18 whom the vehicle is to be rented and compared *either* the signature
19 *thereon with that of the person to whom the vehicle is to be rented*
20 *or the photograph* ~~thereon with the signature of that person written~~
21 ~~in his or her presence~~ *the person to whom the vehicle is to be*
22 *rented.*

23 ~~(B) Inspected the driver’s license of the person to whom the~~
24 ~~vehicle is to be rented through electronic means.~~

25 (b) This section does not prohibit a blind or disabled person
26 who is a nondriver from renting a motor vehicle if both of the
27 following conditions exist at the time of rental:

28 (1) The blind or disabled person either holds an identification
29 card issued pursuant to this code or is not a resident of this state.

30 (2) The blind or disabled person has a driver present who is
31 either licensed to drive a vehicle pursuant to this code or is a
32 nonresident licensed to drive a vehicle pursuant to the laws of the
33 state or country of the driver’s residence.

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